

the National Guard; requests that the Department of Defense should, as soon as possible, consult with Governors, as well as Congress, on any proposed changes to the National Guard force structure; requests that any plan of the Department of Defense regarding the National Guard force structure take into account the role of the National Guard in homeland defense and other state mission defined by Governors; requests the Department of Defense provide budget projections that detail cost savings from any changes in National Guard force structure, as well as projected costs in the event large personnel increases are necessary to respond to a national emergency; and requests the Department of Defense assure Congress, and Governors, that potential force structure changes will not impact the safety and security of the American people.

Every debate about the defense budget should be held in the context of long-term national security goals. I look forward to engaging with the Department on their QDR proposals for the future of America's militia, the National Guard, and I urge adoption of this resolution by the full Senate.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources to consider the President's Proposed Budget for Fiscal Year 2007 for the Department of Energy.

The hearing will be held on Thursday, February 9 at 10 a.m. in Room SD-366 of the Dirksen Senate Office Building.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, SD-364 Dirksen Senate Office Building, Washington, DC 20510-6150.

For further information, please contact Elizabeth Abrams.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Thursday, February 9, 2006 at 2:30 p.m. in Room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to discuss the Energy Information Administration's 2006 Annual Energy Outlook on trends and issues affecting the United States' energy market.

Because of the limited time available for the hearing, witnesses may testify

by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150.

For further information, please contact Lisa Epifani or Shannon Ewan.

SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

Mr. CRAIG. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Public Lands and Forests.

The hearing will be held on Wednesday, February 15, 2006, at 2:30 p.m. in Room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to review the progress made on the development of interim and long-term plans for use of fire retardant aircraft in Federal wildfire suppression operations.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony, to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150.

For further information, please contact Frank Gladics or Kristina Rolph of the Committee staff.

COMMITTEE ON INDIAN AFFAIRS

Mr. McCAIN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Wednesday, February 1, 2006, at 9:30 a.m. in Room 485 of the Russell Senate Office Building to conduct an Oversight Hearing on Off-Reservation Gaming: The Process for Considering Gaming Applications lands eligible for gaming pursuant to the Indian Gaming Regulatory Act.

Those wishing additional information may contact the Indian Affairs Committee.

AUTHORITIES FOR COMMITTEES TO MEET

SELECT COMMITTEE ON INTELLIGENCE

Mr. TALENT. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on January 26, 2005 at 2:30 p.m. to hold a closed briefing.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Yoni Cohen of my staff be granted floor privileges for the duration of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. FRIST. Mr. President, I ask unanimous consent that on Tuesday,

January 31, at a time to be determined by the majority leader, after consultation with the Democratic leader, the Senate proceed to executive session and the consideration en bloc of calendar Nos. 440 and 441, the nomination of Ben Bernanke to be a member and Chairman of the Federal Reserve; further, that there be 30 minutes under the control of Senator BUNNING and 60 minutes equally divided between the chairman and ranking member of the Banking Committee.

I further ask unanimous consent that following the use or yielding back of time, the Senate proceed to consecutive votes on the confirmation of calendar Nos. 440 and 441, and that following the votes the President be immediately notified of the Senate's action, and then the Senate resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

ALITO NOMINATION

Mr. FRIST. Mr. President, earlier today I filed a cloture motion on Judge Alito's nomination in order to bring to close in the not too distant future this outstanding nominee's confirmation process.

The cloture vote is scheduled, as my colleagues know, for 4:30 in the afternoon on Monday. If cloture is invoked—which I believe it will be—we will have a final up-or-down vote on confirmation on Tuesday at 11 o'clock in the morning.

While I believe the Senate has a responsibility to have a thorough debate, a robust debate on every judicial nomination, I am disappointed and it is time to end the delay tactics which we have seen play out over the last several weeks, delay tactics my colleagues on the other side of the aisle are using to obstruct this nominee. Thus, that is why I filed cloture to say enough is enough.

It has been 87 days since the President announced Judge Alito's nomination. I should say, by the way, that it took an average of 63 days from announcement to confirmation of both of President Clinton's nominees.

When Judge Alito was nominated on October 31, or shortly after that—maybe even that day—Chairman SPECTER and I worked in good faith with Senator REID and Senator LEAHY for a timeline on confirmation projecting out where we would be. We agreed to give Judge Alito a fair up-or-down vote after plenty of time for hearings and preparations for the hearings on January 20. We agreed to consider the nomination—it wasn't our preference—after the holidays. We also agreed—again it wasn't our preference—to the Democratic schedules not to begin hearings the week we preferred, January 2.

All of these accommodations were made with the expectation that Democrats on the Judiciary Committee, once they had plenty of time for their hearings themselves, would not delay

the vote coming out of the committee, which would set back the schedule yet a week later, which indeed is what happened. Judge Alito was responsive. He was forthcoming. He answered more than 650 questions. Again, when people hear these numbers, what is the perspective? That is more than double the number of questions that Justice Ginsburg or Justice Breyer answered during their entire confirmation hearings.

But still, the Democrats delayed Judge Alito's vote coming out of committee. Yes, it is within the rules. All of this is within the rules. But we have seen this steady delay, postponement, obstruction. Luckily, the process continues forward. That is where we are today.

We are now scheduled to have a vote on January 31. That is the agreement the Democrat leader and I agreed to in representing our caucuses earlier today. That means we will have had a total of 5 days of floor activity. It is 8 o'clock tonight. We have had speech and debate over the course of the day, and we will have debate tomorrow. As everyone is well aware, we are given plenty of time in the Senate. We could stay here later tonight, tomorrow, tomorrow night. I said we will plow through Saturday until we get this done. It will end up being 5 days in terms of floor action.

Just to put that in perspective, for all of the sitting members on the Supreme Court today, only one other had 5 days of floor debate on a nominee. Again, we are pushing the limits once again. That is why we came forward to

file cloture, to bring closure to this process.

Throughout the entire process I have been very consistent: These judicial nominees deserve, in terms of just dignity, but also it is our responsibility, they deserve a fair up-or-down vote. I should add, also, a recent poll shows that a majority of Americans believe Judge Alito should be confirmed. So, tonight, I can say not with absolute certainty but with as much certainty you can get around this place that on Tuesday Judge Alito will get that fair up-or-down vote.

I mentioned the recent poll. That is the general sense people get as we go back to our communities talking about the hearing process and the confirmation process. They broadly support this highly qualified individual. The list goes on and on in terms of his qualifications, his 15 years on the Federal courts, his highest rating with the ABA, the testimony from some of his colleagues in the hearing, now 2 weeks ago, all of which underline his modest judicial temperament, his integrity, his character. The polls show that the American people have spoken in a fairly dramatic way to us as we go back to our States.

I agree with the American people. Next Tuesday, a bipartisan majority will vote to confirm Judge Alito as Justice Alito.

ORDERS FOR FRIDAY, JANUARY 27, 2006

Mr. FRIST. Mr. President, I ask unanimous consent that when the Sen-

ate completes its business today, it stand in adjournment until 12 noon on Friday, January 27; I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate then proceed to executive session and resume consideration of the nomination of Samuel Alito to be an Associate Justice of the Supreme Court of the United States.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. FRIST. To reiterate, today we filed a cloture motion on the nomination of Judge Alito. The cloture vote will be 4:30 on Monday. We will have some more debate time on Monday. I believe we have provided plenty of time for debate on the nomination. I hope and expect cloture will be invoked and that we will proceed to a vote on the confirmation of Samuel Alito on Tuesday at 11 a.m.

ADJOURNMENT UNTIL TOMORROW

Mr. FRIST. If there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 8:05 p.m., adjourned until Friday, January 27, 2006, at 12 noon.